

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/301,762

REMARKS

Review and reconsideration on the merits are requested.

With respect to the disclosure statements which the Examiner refers to in Paragraph I and Paragraph II of the Action, Applicants have the following remarks.

Of the five documents, JP2000-181002, JP51-59943 and JP54-32552 have U.S. patent families. As regards the other two documents, JP11-119364 and JP2001-133931, only English Abstracts are available.

The five documents were cited in an Official Action of Japanese Patent Appln. No. 2004-004289, which is a divisional application of Japanese Patent Appln. No. 2001-355001 related to the present application. Applicants reviewed these documents and found that the documents are not material to the present invention, that is, they are less relevant to the present invention as compared to the references cited in the outstanding Official Action or the other documents previously filed with IDS herein.

USSN 10/298,633 was erroneously identified in the disclosure statement of March 26, 2004 as USSN 10/297,633.

Applicants now turn to the rejections.

The prior art: U.S. Patent 5,384,236 Matsuoka et al (Matsuoka); U.S. Patent 5,460,929 Nagaoka et al (Nagaoka); U.S. Patent 5,543,282 Mihayashi et al (Mihayashi).

The rejections:

Claims 21-25 and 27 as anticipated by Matsuoka.

Claims 21-25 and 27 as anticipated by Nagaoka.

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Claims 21-25 and 27 as anticipated by Mihayashi.

Claim 26 was "provisionally rejected" as obvious over JP 2000-181002, JP 11-119,364; JP 51-59943; JP 54-32552; and JP 2001-133931.

Since this rejection is only provisional, Applicants do not comment thereon. They may submit English language equivalents or Abstracts of the "applied Japanese patents".

With respect to the anticipation rejections, these are respectfully traversed.

Applicants combine claims 21 and 24, claim 24 being canceled. Dependency is also corrected.

Applicants specifically wish to emphasize that with the combination of claims 1 and 24, the compound represented by the general formula (C) has a reactivity (CRV) **with an oxidized color developing agent** of 0.01 to 0.1.

This makes it quite clear that the compound represented by general formula (C) of claim 21 is **not used as a coloring coupler**, rather, is used to increase the speed of a silver halide color photosensitive material containing another coupler.

In more detail, with respect to the Examiner's "inherency" position, the amendment to claim 21 now specifies that the reactivity with a developing agent of the compound represented by general formula (C) of the present invention is lower than that of a normal coupler used as a coloring coupler.

Applicants respectfully submit that the prior art which the Examiner has relied upon, namely, Masaoka, Nagaoka and Mihayashi, clearly teaches usage as coloring couplers, and, as a

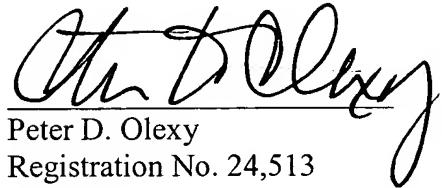
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consequence, the rejection of claim 24 in the instant Action was improper, and by combining claims 21 and 24, Applicants have distinguished the prior art relied upon by the Examiner.

It is believed that Applicants have responded to all actual rejections, and Applicants respectfully request withdrawal.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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